

Rce/83

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/378,201
Filing Date	August 19, 1999
First Named Inventor	Chi Fai HO
Group Art Unit	2666
Examiner Name	Shick C. Hom
Attorney Docket Number	59864.00160

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to application Examination and Provisions Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

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1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any \_\_\_\_\_  
unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time (2<sup>nd</sup> & 3<sup>rd</sup> Month)

07/14/2004 SSESHE1 00000030 09378201

01 FC:1801  
02 FC:1201

770.00 OP  
172.00 OP

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees or credit any overpayments to Deposit Account No. 50-2222
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 1,782.00 Enclosed Check No. 011690

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Arlene P. Neal	Registration No. (Attorney/Agent)	43,828
Signature	<i>Arlene P. Neal</i>	Date	July 12, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	
Signature	
Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



Case Docket No. 59864.00160

Date July 12, 2004

In re the application of:

HO et al

Serial No.: 09/378,201

Group Art Unit: 2666

Filed: August 19, 1999

Examiner: Shick C. Hom

For: CIRCUIT EMULATION SERVICE OVER AN INTERNET PROTOCOL NETWORK

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- ☐ Applicant qualifies for small entity status.
- ☐ No additional fee is required.

The fee has been calculated as shown below:

					SMALL ENTITY	OTHER THAN A SMALL ENTITY			
(Col. 1)		(Col. 2)	(Col. 3)						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		RATE	ADDIT. FEE
TOTAL	8	MINUS	20	0	x9=		or	x18=	
INDEP.	7	MINUS	5	2	x43=		or	x86=	\$172
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+145=		or	+290=	
					TOTAL		or		\$172.00

- ☒ Enclosed is a check in the amount of One Thousand Seven Hundred Eighty Two Dollars (\$1,782.00) to cover the RCE Filing fee of \$770.00, the additional independent claims fee of \$172.00, and the 2<sup>nd</sup> and 3<sup>rd</sup> month extension of time fee of \$840.00.
- ☐ The Commissioner is hereby authorized to charge payment for the following fees associated with this communication or credit any overpayment to Counsel's Deposit Account No. 50-2222. A duplicate copy is enclosed.
- ☒ Any filing fees required under 37 CFR 1.16.

Respectfully submitted,



Arlene P. Neal  
Attorney for Applicant(s)  
Registration No. 43,828

Atty. Docket No. 59864.00160

**Customer Number 32294**

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DHG:scc

Enclosures: Supplemental Amendment  
Check No. 011690